

PATENT

ATTORNEY DOCKET NO. CGNE.099.03US



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Knauf and Kridl

Serial No.: 09/232,861

Filed: January 15, 1999

Title: **METHODS AND COMPOSITIONS FOR  
REGULATED TRANSCRIPTION AND  
EXPRESSION OF HETEROLOGOUS  
GENES**

) Examiner: David Fox

) Art Unit: 1638

) TRANSMITTAL

RECEIVED

JUL 03 2000

TECH CENTER 1600/2300

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith are the following documents in the above-identified application.

- [X] Response to Office Action
- [X] Associate POA
- [X] 3 x Terminal Disclaimers
- [X] an executed, corrected Declaration
- [X] Petition for Extension of Time (2 months)
- [X] Copy of Filing Receipt for application serial no. 07/267,685
- [X] Return postcard (postage prepaid).
- [X] 2 Abstracts
- [X] Example 18 from "Revised Interim Written Description Guidelines Training Materials"
- [X] Request for Correction of Filing Receipt

CERTIFICATE OF FIRST CLASS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:  
Assistant Commissioner of Patents, Washington, D.C. 20231

on 6-21-00

(date)

(Signature)

(Printed Name)

*Maia Foster*

*Maia Foster*

GAVI638\$

116  
148  
576

The fees have been calculated as shown below:

<u>Claims</u>	<u>Remain after Amend</u>	<u>Highest No. Prev. Paid</u>	<u>Pres. Extra</u>	<u>Small Entity</u>			<u>Large Entity</u>	
				<u>Rate</u>	<u>Fee</u>		<u>Rate</u>	<u>Fee</u>
Total:	64	44	20	x \$9	= \$		20 x \$18 =	\$360.00
Indep:	13	7	6	x \$39	= \$		6 x \$78 =	\$468.00

If Multiple dependent Claims

are used for the first time in this application, add \$130 (small entity) \$260 (large entity).

**Total Additional Claims Fee: \$828.00**

<u>Extension of Time Fee</u>	<u>Small Entity</u>	<u>Large Entity</u>
<input type="checkbox"/> One Month	\$ 55	\$ 110
<input checked="" type="checkbox"/> Two Months	\$190	<b>\$ 380.00</b>
<input type="checkbox"/> Three Months	\$435	\$ 870
<input type="checkbox"/> Four Months	\$680	\$1360
<input type="checkbox"/> Five Months	\$925	\$1850

**Total Other Fees:**

**Extension of Time Fees \$380.00**

**Terminal Disclaimer under 37 C.F.R. §1.20(d) x 3 \$330.00**

**Request for Correction of Filing Receipt \$25.00**

**TOTAL FEES: \$1563.00**

☒ A check including the amount of the above-indicated TOTAL FEES is attached.

☐ Please charge Deposit Account No. 18-0020 in the amount of \$.

☐ A check in the amount of \_\_\_\_\_ is attached.

☐ No fee is required.

☒ Conditional Petition for Extension of Time: An extension of time is requested in the present and/or the above-referenced parent application to provide for timely filing if an extension of time is still required after all papers filed with this transmittal have been considered.

☒ The Commissioner is hereby authorized to charge any underpayment of the following fees associated with this communication, including any necessary fees for extension of

time, or credit any overpayment to Deposit Account No. 18-0020.

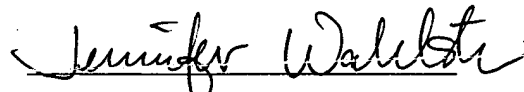
☒ Any filing fees under 37 CFR 1.16 including fees for the presentation of extra claims.

☒ Any parent application processing fees under 37 CFR 1.17.

☒ A **duplicate** copy of this sheet is attached for accounting purposes.

Respectfully submitted,

Date: 16 June, 2000



Jennifer L. Wahlsten, Ph.D.

Reg. No. 46,226

Rae-Venter Law Group, P.C.  
P. O. Box 60039  
Palo Alto, CA 94306  
Telephone: (650) 328-4400  
Facsimile: (650) 328-4477

BRV/JLW

C

PATENT



ATTORNEY DOCKET NO. CGNE.099.03US

*Receipt*  
**FILE COPY** #8 1/2

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Knauf and Kridl

) Examiner: David Fox

Serial No.: 09/232,861

) Art Unit: 1638

Filed: January 15, 1999

) **REQUEST FOR CORRECTION OF**  
) **FILING RECEIPT**

Title: **METHODS AND COMPOSITIONS FOR  
REGULATED TRANSCRIPTION AND  
EXPRESSION OF HETEROLOGOUS GENES**

**Application Processing Division - Customer Correction Branch**

Assistant Commissioner For Patents

Washington, D.C. 20231

**RECEIVED**

**AUG 02 2000**

**TECH CENTER 1600-2300**

Dear Sir:

In accordance with 37 C.F.R. §§1.53(a), (b) and 1.54(b), please issue a corrected filing receipt for this application. A copy of the incorrect receipt, with the changes noted thereon in red ink, is attached for reference. The corrected filing receipt should read as follows with the corrected text underlined:

**CERTIFICATE OF FIRST CLASS MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner of Patents Washington, D.C. 20231 on 6-21-00

(date)

(Signature)

*maier + o v r*

*maier + o v r*

(Printed Name)

In the Continuing Data as Claimed by Applicant-

THIS APPLN IS A CON OF 08/812,665 03/07/97 PAT 5,981,839

WHICH IS A CON OF 08/484,941 06/07/95 PAT 5,750,385

WHICH IS A CON OF 08/105,852 08/10/93 PAT 5,753,475

WHICH IS ~~AND~~ A CIP OF 07/526,123 05/21/90

WHICH IS A CON OF 07/267,685 11/02/88 ABN

WHICH IS A CON OF 06/692,605 01/17/85 ABN

SA10 08/105,852 ~~AND~~ A CIP OF 07/582,241 09/14/90 ABN

WHICH IS A CON OF 07/188,361 04/29/88 ABN

WHICH IS A CIP OF 07/168,190 03/15/88 ABN

WHICH IS A CIP OF 07/054,369 05/26/87 PAT 4,943,674

SA10 08/105,852 ~~AND~~ A CIP OF 07/742,834 08/08/91 PAT 5,420,034

WHICH IS A CIP OF 07/550,804 07/09/90 ABN

WHICH IS A CIP OF 07/147,781 01/25/88 ABN

WHICH IS A CIP OF 07/078,538 07/28/87 ABN

WHICH IS A CIP OF 06/891,529 07/31/86 ABN

DDF  
9/28/00

per  
p.1

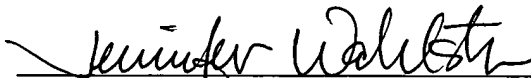
spec

The errors occurred as a result of oversights on the part of the applicant and the USPTO.

For the required fee under under 37 CFR §1.19(h), see Transmittal.

Respectfully submitted,

Dated: 27 April, 2000



Jennifer L. Wahlsten, Ph.D.

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## UNITED STATES PATENT AND TRADEMARK OFFICE

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Page 1 of 2

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

Bib Data Sheet

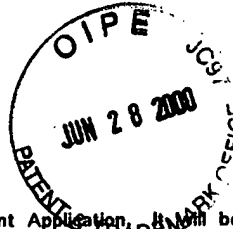
SERIAL NUMBER	FILING DATE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.
09/232,861	01/15/1999 RULE -	800	1638	CGNE.099.03U
<b>APPLICANTS</b> VIC C. KNAUF, WINTERS, CA ; JEAN C. KRIDL, DAVIS, CA ;				
<b>** CONTINUING DATA *****</b> THIS APPLICATION IS A CON OF 08/812,665 03/07/1997 PAT 5,981,839 WHICH IS A CON OF 08/484,941 06/07/1995 PAT 5,750,385 WHICH IS A CON OF 08/105,852 08/10/1993 PAT 5,753,475 WHICH IS A CIP OF 07/526,123 05/21/1990 WHICH IS A CON OF 07/267,685 11/02/1988 ABN WHICH IS A CIP OF 07/582,241 09/14/1990 ABN WHICH IS A CON OF 07/188,361 04/29/1988 ABN WHICH IS A CIP OF 07/168,190 03/15/1988 ABN WHICH IS A CIP OF 07/054,369 05/26/1987 PAT 4,943,674 WHICH IS A CIP OF 07/742,834 08/08/1991 PAT 5,420,034 AND SAID WHICH IS A CIP OF 07/550,804 07/09/90 ABN WHICH IS A CIP OF 07/147,781 01/25/1988 ABN WHICH IS A CIP OF 07/078,538 07/28/1987 ABN WHICH IS A CIP OF 06/891,529 07/31/1986 ABN				
<b>** FOREIGN APPLICATIONS *****</b>				
<b>IF REQUIRED, FOREIGN FILING LICENSE</b> <b>GRANTED ** 02/09/1999</b>				
Foreign Priority claimed <input type="checkbox"/> yes <input checked="" type="checkbox"/> no		STATE OR COUNTRY CA	SHEETS DRAWING 40	TOTAL CLAIMS 44
35 USC 119 (a-d) conditions met <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Met after Allowance				INDEPENDENT CLAIMS 7
Verified and Acknowledged Examiner's Signature: <i>David J. 26</i> Initials: <i>DTF</i>				
<b>ADDRESS</b> JENNIFER WAHLSTEN RAE-VENTER LAW GROUP, P.C. 260 SHERIDAN AVE., SUITE 440 PALO ALTO, CA 94306				
<b>TITLE</b> METHODS AND COMPOSITIONS FOR REGULATED TRANSCRIPTION AND EXPRESSION OF HETEROLOGOUS GENES				

## FILING RECEIPT

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
MAR 19 1999

BARBARA RAE-VENTER

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
09/232,861	01/15/99	1649	\$0.00	CGNE.099.03U	40	44	7

CALGENE INC  
1920 FIFTH STREET  
DAVIS CA 95616

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Application Processing Division's Customer Correction Branch within 10 days of receipt. Please provide a copy of the Filing Receipt with the changes noted thereon.

## Applicant(s)

VIC C. KNAUF, WINTERS, CA; JEAN C. KRIDL, DAVIS, CA.

9/28/00  
DX  
per  
spec

SAID 08/105,852 IS

SAID 08/105,852 IS

CONTINUING DATA AS CLAIMED BY APPLICANT-

THIS APPLN IS A CON OF 08/484,941 06/07/95 PAT 5,750,385

WHICH IS A CON OF 08/105,852 08/10/93 PAT 5,753,475

CIP WHICH IS AND A [CON] OF 07/526,123 05/21/90 02

WHICH IS A CON OF 07/267,865 11/07/88 ABN

WHICH IS A CON OF 06/692,605 01/17/85 ABN

CIP AND A [CON] OF 07/582,241 09/14/90 ABN

WHICH IS A CON OF 07/188,361 04/29/88 ABN

CIP WHICH IS A [CON] OF 07/168,190 03/15/88 ABN

CIP WHICH IS A [CON] OF 07/054,369 05/26/87 PAT 4,943,674

CIP AND A [CON] OF 07/742,834 08/08/91 PAT 5,420,034

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CIP WHICH IS A [CON] OF 07/147,781 01/25/88 ABN

CIP WHICH IS A [CON] OF 07/078,538 07/28/87 ABN

CIP WHICH IS A [CON] OF 06/891,529 07/31/86 ABN

FOREIGN FILING LICENSE GRANTED 02/09/99

TITLE

METHODS AND COMPOSITIONS FOR REGULATED TRANSCRIPTION AND EXPRESSION  
OF HETEROLOGOUS GENES

PRELIMINARY CLASS: 800

FILING RECEIPT



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

COPY

SERIAL NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
07/267,685	11/02/88	184	\$ 170.00	27387/CGNE10-1	0	11	2

LEYDIG, VOIT AND MAYER  
350 CAMBRIDGE AVENUE  
SUITE 200  
PALO ALTO, CA 94306



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LEYDIG, VOIT & MAYER  
PALO ALTO

Receipt is acknowledged of the patent application identified herein. It will be considered in its order and you will be notified as to the examination thereof. Be sure to give the U.S. SERIAL NUMBER, DATE OF FILING, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this transmittal.

Applicant(s)

CHRISTINE K. SHEWMAKER, DAVIS, CA; DANIEL G. FACCIOTTI,  
DAVIS, CA.

CONTINUING DATA-THIS APPLN IS A CON OF 06/692,605 01/17/85 ABAN

FOREIGN FILING LICENSE GRANTED 12/06/88 \* SMALL ENTITY \*  
TITLE  
TRANSFORMATION SYSTEM FOR MONOCOTS

PRELIMINARY CLASS: 435

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MAY 08 2000

RAE-VENTER LAW GROUP, P.C.

(see reverse)